

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
EASTERN DIVISION**

PHILLIP AUSTON CARRIER,)

Petitioner,)

v.)

WARDEN B. ROMERO,)

Respondent.)

CASE NO.: 1:17-cv-1898-VEH-JHE

MEMORANDUM OPINION

On February 20, 2018, the Magistrate issued a Report and Recommendation which, in pertinent part, stated:

the undersigned **RECOMMENDS** the respondent's motion for summary dismissal be **GRANTED**, and the petition for a writ of habeas corpus be **DISMISSED WITH PREJUDICE**.

(Doc. 11 at 7). On March 16, 2018, the Petitioner filed an Objection to the Magistrate's recommendation. (Doc. 14). Having carefully considered, *de novo*, all of the materials in the Court file, including the Report and Recommendation, and the objections thereto, the Court is of the opinion that the Magistrates Report and Recommendation ought to be, and hereby is, **ACCEPTED** and **ADOPTED** as the opinion of this Court. The Court **EXPRESSLY HOLDS** that the Respondent's motion for summary dismissal should be **GRANTED** and the petition for a writ of habeas corpus should be

DISMISSED WITH PREJUDICE. An appropriate Final Order will be entered.

DONE this 19th day of March, 2018.

A handwritten signature in black ink, appearing to read "VE Hopkins", written over a horizontal line.

VIRGINIA EMERSON HOPKINS

United States District Judge